

No Vehicles in the Park?: On AI's Teleological Interpretation in Law

Hung-Ju Chen

Institute of European and American Studies, Academia Sinica

E-mail: marxchen@gate.sinica.edu.tw

Abstract

Legal purposes not only contribute to the meaning of legal norms but also help lawyers arrive at legal conclusions, and even provide justificatory force. Engineers in Artificial Intelligence and Law also recognize the importance of teleological reasoning in law and aim at building a computational model capable of teleological interpretation, no matter in models of statutory reasoning or case-based reasoning. This paper investigates the problem of teleological interpretation in CMLRs. It points out that CMLRs are capable of operating teleological reasoning within a limited scope but incompetent to deal with normative issues such as why certain values shall be realized through a teleological interpretation. This is because CMLRs in a purposive interpretation function to predict future possible outcomes, but it is another (fundamental) question regarding how this presupposed possible world fits into the normative state of affairs of a legal purpose. This article makes two contributions. First, it directly focuses on the form and structure of purposive interpretation providing analysis and reflections on its applicative problem in CMLRs. Second, it clarifies the relationship between a legal purpose and meaning of a legal norm. This clarification helps CMLRs to understand to what extent a model design of teleological interpretation is acceptable.

Key Words: artificial intelligence and law, teleological interpretation, computational models of legal reasoning, normativity, instrumental rationality